

Police barrelled into the home in search of Harris' mother. Their search was stopped cold when they entered her room and found that Harris' elderly mother was lying deceased in the bed — and had apparently been there for months. It was soon discovered that the woman had died six months prior, just three days after Mother's Day, but Harris had continued to live in the home, reporting nothing of the death and continuing to cash eight social security checks on his deceased mother's behalf.

"His mother died in May, and he had a decision to make," said Louisville Metro Police Detective John Fogle, who serves in the Crimes Against Seniors Unit. "He could have called the coroner's office, police, whatever. But he made another decision to let his mother lie in bed and rot for six months and continue to cash her checks.

"She was decomposed to the point that we [couldn't] even do an autopsy to get an accurate cause of death," he continued. "This is one of the cases that really irritated me because, he didn't care about his mother whatsoever, he didn't give her a proper burial, and it was just considered a financial crime."

Though many cases of financial exploitation aren't nearly so graphic and don't end in such dire ways, financial exploitation of senior citizens is the most prominent form of abuse imposed on seniors in our society.

The exploitation is probably the biggest [form of abuse] and probably more unreported, said Office of the Attorney General Investigator Nikki Henderson.

"It is usually done by family members, and they are not the ones who are going to report it," Henderson said. "I think the exploitation of them — stealing their funds or assets, turning over their home, signing over their wills, changing their wills — I think there is a lot of that about which we will never know."

It is a sad realization that often an elderly individual's family members — son, daughter, grandchild, nieces or nephews — are the one's targeting and exploiting them, but seniors are easy targets for family because they know what they have and what the money situation is, explained LMPD Sgt. Jerry Thornsberry. Family members are the ones who are close enough to the situation to know exactly where someone is the most vulnerable.

When an elderly individual goes to a facility and he or she has no money, the state looks back five years now to see if the person qualifies for Medicaid. If they can determine that the person had money, but it was stolen, or it wasn't appropriated correctly, then that is an issue. ■

"If a relative has a condition that makes them vulnerable, a family member or trusted person in their life takes advantage of that and steals from them," Thornsberry said. "By the time someone becomes aware there is a problem, you've got a real problem. We've seen cases where entire savings have been liquidated from an account by a family member.

"We call it financial exploitation, but that is just a fancy term for theft," he continued.

"We get million dollar cases in here — we get cases where the dollar amount is ungodly," Fogle added. "[The exploitation] goes back years and we can only get so many bank records to justify the case."

Despite the many criminal cases of financial exploitation that the detectives in Louisville Metro's Crimes Against Seniors Unit work, they also receive cases that are more civil in nature, where family members don't agree about the way a loved one's finances have been handled by another family member who holds the power of attorney. In many cases, figuring out where the line lies between exploitation and receiving a fair amount of money for the care someone is providing is difficult to navigate, Thornsberry said.

"It has to be clear," he said. "If you are taking care of someone, you are entitled to receive something for that care — whatever that may be. So it has to be clear, the exploitation aspect has to be [they are] buying a boat or a car ... but taking a couple hundred a week for expenses [is different.] Because what does care cost outside of the home — \$20 to \$30 an hour? So, figuring out what is appropriate is difficult."

The unit even receives cases where people are fighting about money and how their elderly family member is choosing to spend their money to benefit another person.

"Unless a person has Alzheimer's or dementia and are being coerced, it is not a crime," Thornsberry said. "A competent adult can do whatever they want with their

finances. You'd be surprised what that level is sometimes, but it is what it is."

WHAT'S THE GOAL?

When working financial exploitation cases against vulnerable senior citizens, officers want to make sure victims get justice in some form, and perpetrators are punished. In most financial cases, officers are looking for restitution to the victim, Thornsberry said. Though this isn't always an easy task.

"When people take the money it's not going into an IRA," Thornsberry said. "They're blowing it. But [restitution] is a big goal. Most of the time, they don't go to prison, they get probation. We may get a felony conviction, but they don't go to prison, so restitution is huge."

In the case of Julius Harris, he was charged with financial exploitation and abuse of a corpse for allowing his mother's remains to decompose in the house while he continued to steal her social security checks. Abuse of a corpse is only a misdemeanor charge. Harris only received one year, and that was probated.

"I almost lost it that day and threw my badge at somebody," Fogle said about Harris' verdict. "The odd thing about that case is that after he was out, he got popped for a DUI and ended up doing more time on the DUI charge than for what he did to his mother."

Financial crime sentences are based upon the amount of money taken and a financial crime, unless it's a robbery, the max a perpetrator can receive is 20 years — and that rarely happens, Fogle said.

In addition to sometimes light sentences, officers also face the difficulty of getting victims to press charges at all. When a parent or grandparent discovers they have been exploited by their child or grandchild, often they choose not to press charges because they do not want their child or grandchild to face the consequences of potential jail time, Fogle said.

Fogle had a case where an elderly woman named Juanita Stone lived in a nursing >>